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LEE & HAYES PLLC 421 W RIVERSIDE AVENUE SUITE 500 SPOKANE, WA 99201			LY, ANH	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 09/544,253	Applicant(s) PARUPUDI ET AL.	
	Examiner Anh Ly	Art Unit 2162	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 June 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-64 is/are pending in the application.
- 4a) Of the above claim(s) 1-23, 37-47, 54-57, 61, 63 and 64 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 24-36, 48-53 and 62 is/are allowed.
- 6) ☒ Claim(s) 58-60 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 April 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>9/12/06 & 3/15/07</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Office Action is response to Applicants' AMENDMENT filed on 06/23/2006
2. Claims 1-23, 37-47, 54-57, 61 and 63-64 have been cancelled.
3. Claims 24-36, 48-53, 58-60 and 62 are pending in this Application.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

5. Regarding claims 24, 48, 58 and 62, the phrase "unique IDs that **can** ... attributes **can be** assigned to goods or services." renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. See MPEP § 2173.05(d). Applicant(s) is(are) advised to amend the claim to provide a clear and concise language to the claims in a language that helps one of ordinary skills in the art to make and use the invention as claimed.

Claim 49 and 53 recites the limitation "its location context" in line two of claim 49 and line 3 of claim 53. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 24-28, 30-31, 48-49, 58-60 and 62 are rejected under 35 U.S.C. 102(b) as being anticipated by US Patent No. 5,295,261 issued to Simonetti.

With respect to claim 24, Simonetti teaches one or more computer-readable media (storage medium includes disks and tapes: col. 1, lines 64-67); and

a first hierarchical tree structure having multiple nodes associated with a first context, wherein the first hierarchical tree structure resides on the one or more computer-readable media (this set of nodes (item 50 in fig. 3A) from the hierarchical data in the distributed database is stored on the medium the first type of tree for hierarchically organized data with adjacent links list: col. 7, lines 51-58, col. 9, see set of nodes of tree structure of 50 in fig. 3, the linked list is in the set of nodes tree structure 52, city nodes, fig. 3A);

at least one second hierarchical tree structure having multiple nodes associated with a second context, wherein the second hierarchical tree structure resides on the one or more computer-readable media (this set of nodes (item 60 in fig. 3B) from the hierarchical data in the distributed database is stored on the medium, the set of nodes of tree structure 60, which also has two set of nodes 61 and 62; the linked list is in the set of nodes tree structure 62, city nodes, fig. 3B); and

at least one node from the at least one second hierarchical tree structure being linked with one node on the first hierarchical tree structure by a link that is configured to enable a complete context to be derived from the first and second contexts (the two set of nodes tree structures have a set of nodes in common, in set 52 and in set 62, city nodes, this is a link that is derived from the first and second tree structure (col. 9, lines 5-25), individual nodes having unique IDs that can serve as a basis by which attributes can be assigned to goods or services (each node has each unique IDs and to be assigned to goods or services based on the distributed centers: the nodes in the tree structure such as topological map comprising unique identifier or unique ID, one node for each unique value and each link of topology represents a relationship between nodes (col. 5, lines 15-20, col. 8, lines 30-35, fig. 5). Also, Simonetti teaches distribution center (fig. 6s') where the goods or services are distributed to its customer, services to a number of city distribution centers and ship goods to the customer as specified in the node in fig 6, state and city. Thus, each unique ID node is assigned to goods or services based on the regional distributed centers (col. 5, lines 60-67, col. 10, lines 51-67 and col. 11, lines 1-24)); and

said multiple nodes comprising parent and children nodes, at least some of the parent nodes and their associated children nodes having IDs that are unique for the associated node (see figs. 2(c), 3s' and 6, the tree structures of nodes having parent and children nodes, (city, state, distribution centers: col. 8, lines 12-25).

With respect to claim 25, Simonetti teaches wherein the first and second contexts comprise a location context (set of nodes of city and set of nodes of state and

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address are location context nodes, these information is from geographical database: col. 1, lines 25-29, col. 4, lines 10-25 and col. 6, lines 40-48).

With respect to claim 26, Simonetti teaches wherein the nodes of the first hierarchical tree structure comprise geographical divisions of the Earth (first tree structure is comprising set of nodes of city names; the second tree structure is comprising a set of nodes of state names: geographical names: col. 9, lines 1-25).

With respect to claim 27, Simonetti teaches wherein the nodes of the at least one second hierarchical tree structure comprise physical and/or logical entities (city nodes, state nodes and distribution centers are physical and logical entities: fig. 6).

With respect to claim 28, Simonetti teaches wherein the first and the at least one second hierarchical tree structures comprise a plurality of attributes, one of which comprising information that pertains to the tree with which the node is associated (city, state and distribution center in set of nodes tree structures 50 and 60 in figs. 3A, 3B and 3C, col. 9, lines 1-45).

With respect to claim 30, Simonetti teaches comprising one or more goods or services associated with one or more of the nodes of the at least one second hierarchical tree structure (the distribution center (fig. 6s') where the goods or services are distributed to its customer, services to a number of city distribution centers and ship goods to the customer as specified in the node in fig 6, state and city. Thus, each unique ID node is assigned to goods or services based on the regional distributed centers (col. 5, lines 60-67, col. 10, lines 51-67 and col. 11, lines 1-24)).

With respect to claim 31, Simonetti teaches wherein the first hierarchical tree structure comprises a standardized view of the Earth, and the at least one second hierarchical tree structure comprises an organization-specific view of at least a portion of the Earth, the organization-specific view comprising a physical/logical entity that links into specific portions of the Earth (city nodes, state nodes and distribution centers are physical and logical entities: fig. 6; the distribution center (fig. 6s') where the goods or services are distributed to its customer, services to a number of city distribution centers and ship goods to the customer as specified in the node in fig 6, state and city. Thus, each unique ID node is assigned to goods or services based on the regional distributed centers (col. 5, lines 60-67, col. 10, lines 51-67 and col. 11, lines 1-24).

With respect to claim 48, Simonetti teaches access first and second hierarchical tree structures, each tree structure having multiple nodes, the nodes of the first hierarchical tree structure being associated with a first location context, the nodes of the second hierarchical tree structure being associated with a second location context, at least one node of the second hierarchical tree structure being linked with a node of the first hierarchical tree structure (the first set of nodes tree structure and the second set of nodes tree structure: fig. 3A, and 3B, col. 9, lines 5-20); and

traverse at least one node of each tree structure to derive a location context (traversing the set of nodes tree structure of city nodes to the state nodes: col. 8, lines 20-26), at least one node in a traversal path that leads to a root node of the second hierarchical tree structure being linked with a node of the first hierarchical tree structure,

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individual nodes having unique IDs that can serve as a basis by which attributes can be assigned to goods or services, said multiple nodes comprising parent and children nodes, at least some of the parent nodes and their associated children nodes having IDs that are unique for the associated node (the two set of nodes tree structures have a set of nodes in common, in set 52 and in set 62, city nodes, this is a link that is derived from the first and second tree structure (col. 9, lines 5-25); also, each node has each unique IDs and to be assigned to goods or services based on the distributed centers: the nodes in the tree structure such as topological map comprising unique identifier or unique ID, one node for each unique value and each link of topology represents a relationship between nodes (col. 5, lines 15-20, col. 8, lines 30-35, fig. 5). Also, Simonetti teaches distribution center (fig. 6s') where the goods or services are distributed to its customer, services to a number of city distribution centers and ship goods to the customer as specified in the node in fig 6, state and city. Thus, each unique ID node is assigned to goods or services based on the regional distributed centers (col. 5, lines 60-67, col. 10, lines 51-67 and col. 11, lines 1-24)).

With respect to claim 49, Simonetti teaches wherein the computing device automatically determines its location context (set of nodes of city and set of nodes of state and address are location context nodes, these information is from geographical database: col. 1, lines 25-29, col. 4, lines 10-25 and col. 6, lines 40-48).

With respect to claim 58, Simonetti teaches receiving input from a source that specifies information pertaining to physical and/or logical entities; processing the information to define a hierarchical tree structure having a context (col. 9, lines 27-52

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and col. 9, lines 1-48; also storage medium includes disks and tapes: col. 1, lines 64-67 and the first type of tree for hierarchically organized data with adjacent links list: col. 7, lines 51-58);

linking at least one of the multiple nodes to a node of another tree structure having a context and multiple nodes that represent physical and/or logical entities, and the tree structure being configured for traversal in a manner that enables context to be derived from one or more of the nodes (city nodes, state nodes and distribution centers are physical and logical entities (fig. 6), the two set of nodes tree structures have a set of nodes in common, in set 52 and in set 62, city nodes, this is a link that is derived from the first and second tree structure (col. 9, lines 5-25); also, each node has each unique IDs and to be assigned to goods or services based on the distributed centers: the nodes in the tree structure such as topological map comprising unique identifier or unique ID, one node for each unique value and each link of topology represents a relationship between nodes (col. 5, lines 15-20, col. 8, lines 30-35, fig. 5). Also, Simonetti teaches distribution center (fig. 6s') where the goods or services are distributed to its customer, services to a number of city distribution centers and ship goods to the customer as specified in the node in fig 6, state and city. Thus, each unique ID node is assigned to goods or services based on the regional distributed centers (col. 5, lines 60-67, col. 10, lines 51-67 and col. 11, lines 1-24)). The tree structures being configured for traversal in a manner that enables context to be derived from one or more of nodes (traversing the set of nodes tree structure of city nodes to the state nodes: col. 8, lines 20-26; see fig. 6).

With respect to claim 59, Simonetti teaches wherein the computing device automatically determines its location context (set of nodes of city and set of nodes of state and address are location context nodes, these information is from geographical database: col. 1, lines 25-29, col. 4, lines 10-25 and col. 6, lines 40-48).

Claim 60 is essentially the same as claim 58 except that it is directed to a computer-readable media rather than a method, and is rejected for the same reason as applied to the claim 58 hereinabove.

With respect to claim 62, Simonetti teaches one or more computer-readable media (storage means such as disk and tapes: col. 1, lines 65-67);

a first hierarchical tree structure having multiple nodes associated with a first context, wherein the first hierarchical tree structure resides on the one or more computer-readable media (this set of nodes (item 50 in fig. 3A) from the hierarchical data in the distributed database is stored on the medium the first type of tree for hierarchically organized data with adjacent links list: col. 7, lines 51-58, col. 9, see set of nodes of tree structure of 50 in fig. 3, the linked list is in the set of nodes tree structure 52, city nodes, fig. 3A):

at least one second hierarchical tree structure having multiple nodes associated with a second context, wherein the second hierarchical tree structure resides on the one or more computer-readable media (this set of nodes (item 60 in fig. 3B) from the hierarchical data in the distributed database is stored on the medium, the set of nodes of tree structure 60, which also has tow set of nodes 61 and 62; the linked list is in the set of nodes tree structure 62, city nodes, fig. 3B); and

at least one node from the at least one second hierarchical tree structure being linked with one node on the first hierarchical tree structure by a link that is configured to enable a complete context to be derived from the first and second contexts (the two set of nodes tree structures have a set of nodes in common, in set 52 and in set 62, city nodes, this is a link that is derived from the first and second tree structure (col. 9, lines 5-25), individual nodes having unique IDs that can serve as a basis by which attributes can be assigned to goods or services, said multiple nodes comprising parent and children nodes, at least some of the parent nodes and their associated children nodes having IDs that are unique for the associated node (each node has each unique IDs and to be assigned to goods or services based on the distributed centers: the nodes in the tree structure such as topological map comprising unique identifier or unique ID, one node for each unique value and each link of topology represents a relationship between nodes (col. 5, lines 15-20, col. 8, lines 30-35, fig. 5). Also, Simonetti teaches distribution center (fig. 6s') where the goods or services are distributed to its customer, services to a number of city distribution centers and ship goods to the customer as specified in the node in fig 6, state and city. Thus, each unique ID node is assigned to goods or services based on the regional distributed centers (col. 5, lines 60-67, col. 10, lines 51-67 and col. 11, lines 1-24)); wherein the nodes of the first hierarchical tree structure comprise geographical divisions of the Earth; wherein the first and the at least one second hierarchical tree structures comprise a plurality of attributes, one of which comprising information that pertains to the tree with which the node is associated (state, city, address are geographical divisions of the Earth; also,

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regional distribution centers and geographical database: col. 8, lines 12-25, col. 9, lines 16-45; also, see col. 4, lines 10-25).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 29, 32-36 and 50-53 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 5,295,261 issued to Simonetti in view of f US Patent No. 6,421,716 issued to Eldridge et al. (hereinafter Eldridge).

With respect to claims 29 and 32-36, Simonetti teaches a system as discussed in claim 24.

Simonetti teaches computer readable storages including disks and tapes and a hierarchical tree structures storing in the storage medium containing a plurality of nodes containing the information of country, states, counties and cities. Two set of nodes of tree structures and both are linked thru via common nodes, city nodes, which are derived from first and second set of nodes tree structure. Simonetti does not explicitly teach wherein the information comprises a universal resource locator (URL); wherein the organization-specific view has no context outside of the organization; wherein the computer-readable media is embodied on a mobile computing device; wherein the computer-readable media is embodied on a desktop device; wherein the computer-readable media is embodied a handheld mobile computing device; wherein the computer-readable media is accessible to a computing device via the Internet.

However, Eldridge teaches Uniform Resource Locator (URL) (col. 4, lines 58-62); Internet (col. 4, lines 45-46 and 62-64, item 122 in fig. 1, mobile computing devices (fig. 1, item 118, col. 4, lines 45-46), wireless devices (col. 3, lines 38-48).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the teachings of Simonetti with the teachings of Eldridge. One having ordinary skill in the art would have found it motivated to utilize the use of Internet network with URL, mobile computing devices, wireless device as disclosed (Eldridge's col. 4, lines 40-67), into the system of Simonetti for the purpose of having a method of for providing users of mobile computing devices with context sensitive hierarchically service (Eldridge's col. 1, lines 20-22), thereby enabling user to have a means for offering users of mobile computing devices to access the services

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that are the location at which the users are physically situated (Eldridge's col. 2, lines 15-30).

With respect to claims 50-53, Simonetti teaches a medium as discussed in claim 48.

Simonetti teaches computer readable storages including disks and tapes and a hierarchical tree structures storing in the storage medium containing a plurality of nodes containing the information of country, states, counties and cities. Two set of nodes of tree structures and both are linked thru via common nodes, city nodes, which are derived from first and second set of nodes tree structure. Simonetti does not explicitly teach wherein the computing device automatically determines its location context; wherein the computing device is a handheld computing device; wherein the computing device is a mobile computing device; wherein the computing device is a desktop device; and wherein the computing device is a handheld computing device that automatically determines its location context.

However, Eldridge teaches Uniform Resource Locator (URL) (col. 4, lines 58-62); Internet (col. 4, lines 45-46 and 62-64, item 122 in fig. 1, mobile computing devices (fig. 1, item 118, col. 4, lines 45-46), wireless devices (col. 3, lines 38-48).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the teachings of Simonetti with the teachings of Eldridge. One having ordinary skill in the art would have found it motivated to utilize the use of Internet network with URL, mobile computing devices, wireless device as disclosed (Eldridge's col. 4, lines 40-67), into the system of Simonetti for the purpose of

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having a method of for providing users of mobile computing devices with context sensitive hierarchically service (Eldridge's col. 1, lines 20-22), thereby enabling user to have a means for offering users of mobile computing devices to access the services that are the location at which the users are physically situated (Eldridge's col. 2, lines 15-30).


Contact Information

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to ANH LY, whose telephone number is (571) 272-4039 or via e-mail: ANH.LY@USPTO.GOV (written authorization being given by Applicant(s) - MPEP 502.03 [R-2]) or fax to (571) 273-4039 (unofficial fax number directly to examiner).

The examiner can normally be reached on TUESDAY – THURSDAY from 8:30 AM – 3:30 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **John Breene**, can be reached on **(571) 272-4107**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). Any response to this action should be mailed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, or faxed to: **Central Fax Center: (571) 273-8300**

ANH LY 
AUG. 28th, 2007


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